

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MASS  
JUN 30 A 8:47

UNITED STATES OF AMERICA, ) CRIM. NO. 04-30046-MAP  
 )  
 vs. )  
 )  
 ALBERT INNARELLI, ET AL., )  
 )  
 Defendants. )

PARTIES' FINAL JOINT MEMORANDUM PURSUANT TO LOCAL RULE 116.5(A)

The United States of America, by and through Michael J. Sullivan, United States Attorney for the District of Massachusetts, and William M. Welch II, Assistant United States Attorney, hereby files this final joint memorandum pursuant to Local Rule 116.5(A) and the Magistrate Judge's Scheduling Order.

1. There are no outstanding discovery issues not yet presented.<sup>1</sup>

2. The Government anticipates providing additional discovery. As the investigation has continued, the Government has received more loan files. Some of these files may have been received after the review of the loan files by various defense

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<sup>1</sup>The Government is unaware of the status of copying efforts by defense counsel's copy vendor. The Government had delivered all loan files of which defense counsel had requested copies to defense counsel's copy vendor shortly after the last status conference.

counsel. In addition, a superseding indictment with several new defendants is highly likely, and it is anticipated that the grand jury will return such an indictment in mid to late July, 2005.

3. The defendants do not intend to raise a defense of insanity or public authority.

4. The Government has not requested notice of alibi. However, the defendants do not intend to raise a defense of alibi to the current charges.

5. The defendants will file substantive motions that will require rulings by the court.

6. A schedule should be set for substantive motions. Time under the Speedy Trial Clock should be tolled from the date of the status conference through the filing of the motions to provide the defendant ample time to research, draft, and submit his motion. This request takes into consideration the due diligence of the party and would be in the interests of justice. In addition, this case has been designated a complex case.

7. To date, one defendant has indicated that he will plead guilty.

8. Excludable delay should be ordered under 18 U.S.C. §§ 3161(h)(1)(F), 3161(h)(8)(A) and Local Rules 112.2(A)(1) and (2). No time has run on the Speedy Trial Clock given the designation of this case as complex case.


9. The parties believe at this point that a trial should

be anticipated. The Government would anticipate the trial to last approximately two and a half months.

Filed this 30th day of June, 2005.

Respectfully submitted,

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United States Attorney

  
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Assistant United States Attorney

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For defendant Jonathan Frederick

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For defendant Joseph Sullivan

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DANIEL KELLY, ESQ.  
Counsel for defendant Sullivan

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts  
June 30, 2005

I, William M. Welch, Assistant U.S. Attorney, do hereby certify that I have served a copy of the foregoing by faxing said motion to:

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